



## **Office of the State Treasurer**

200 Piedmont Avenue, Suite 1204, West Tower

Atlanta, Georgia 30334-5527

[ost.georgia.gov](http://ost.georgia.gov)

### **BANKING GUIDELINES for Fiscal Year 2012**

Pursuant to its authority under Chapter 17 of Title 53 of the Official Code of Georgia Annotated, the State Depository Board ("Board") has adopted the State of Georgia Depository and Bank Fee Policy (the "Bank Policy").

The Office of the State Treasurer ("the Treasurer") is designated to implement the Bank Policy which requires any department, board, bureau or agency of the State of Georgia or schools under the auspices of the Board of Regents or Technical College System of Georgia ("Agency") that has a need to open a new depository account or to request a new banking service to request and receive approval of the Board by making a request through the Treasurer.

The Treasurer maintains a registry of all state bank accounts approved by the Board, including but not limited to those bank accounts approved by the Board to participate in the Statewide Banking Program (the "Bank Fee Program") in which bank fees are paid by the Treasurer.

The banking services for each Agency are to be reviewed every three years by each state entity in participation with the Treasurer, with the exception that colleges and universities under the auspices of the Board of Regents may opt to reevaluate their banking services every five years. Per the Bank Policy, colleges and universities under the auspices of the Board of Regents or the Technical College System of Georgia may opt to conduct searches for banks utilizing a standard RFP format provided by the Treasurer.

In the process of approving new bank accounts and/or new banking services and in the Treasurer's periodic review of Agency banking services, the Treasurer and/or Agencies may request banks to provide information regarding their experiences with and capability of providing certain more complex banking services as a factor to be considered in the evaluation and approval process.

### **BANK FEE PROGRAM ACCOUNTS**

#### *Statutory requirements for interest on deposits*

#### *§ 50-17-52.*

*The board shall make with depositories the most advantageous contracts for interest to be paid by them to the state for the use of the state's money which may be deposited therein, as provided by this article. In so doing, the board may authorize the state treasurer to negotiate with depositories explicit fees in payment for the state's banking services. Such fees shall be paid by the state treasurer from interest earned and shall be subject to the board's approval. In the event any depository so named shall refuse to make a satisfactory contract with the board as to interest to be paid and fees to be charged, it shall have authority to remove state funds from such depository.*

### **ACCOUNT APPROVAL REQUIREMENT**

To participate in the Bank Fee Program, each bank acknowledges that it must follow the Bank Policy (attached as Exhibit A) and these Guidelines. The Treasurer is only liable for fees related to accounts approved by the Treasurer and the Board that are in the Bank Fee Program. Agencies shall be responsible for payment of fees on accounts not in the Bank Fee Program but approved by the Treasurer and the Board.

No new bank accounts may be opened without the express approval of the Treasurer and the Board except for such instances in which the Treasurer provides initial approval of such accounts pending final approval by the Board at its next regularly scheduled meeting. Accounts or services may be terminated from time to time. The fees quoted by the bank and set forth on Exhibit B shall apply to all Agency accounts including, but not limited to, those in the Bank Fee Program unless otherwise approved by the Treasurer.

### **SERVICES AND COMPENSATION**

Each bank shall be compensated for banking services in accordance with its fee schedule attached hereto as **Exhibit B**. Except as provided herein, beginning July 1, 2011 such schedule shall not be amended until after June 30, 2012 ("the Fiscal Year") without written approval by the Treasurer. Each bank may reduce any or all fees on the fee schedule during the Fiscal Year provided it delivers advance written notice to the Treasurer at least five days prior to the implementation of the reduction. Those fees specifically identified on Exhibit B as subject to regulatory assessment may be increased during the Fiscal Year to the extent of an increase in the regulatory assessment provided that the Bank provides Treasurer with advance written notice. The fees set forth in Exhibit B shall apply to all banking services provided to all Agencies during the Fiscal Year. A bank may amend its fee schedule for new banking services with permission of the Treasurer. Fees not expressly referenced in Exhibit B are not authorized and may not be paid by the Treasurer. Other than the fees authorized in Exhibit B, the Treasurer, the Board and any Agency are not responsible for any fees for services provided under the Bank Fee Program.

### **ADDITIONAL SERVICES**

For accounts in the Bank Fee Program, a bank shall not be permitted to add any additional banking services that will involve an expense in excess of \$ 1,500.00 per month without the prior written approval of the Treasurer.

### **OTHER AGREEMENTS**

Any agreements which a bank utilizes in its regular course of business in opening and maintaining Agency accounts and which are necessary for the account and services required must comply with Georgia law.

### **INTEREST**

At the option of the Treasurer, accounts in the Bank Fee Program will either earn monthly interest on collected available balances at such rate as may be agreed to by the Treasurer and the bank from time to time or receive a monthly net earnings credit rate ("ECR"). For purposes of calculating the ECR, a bank will treat all Agency bank balances in all accounts in the Bank Fee Program as if they were a single account to give the Treasurer the benefit of any tiered ECRs paid on higher account balances.

### **PROPOSALS TO AGENCIES**

Banks will provide the Treasurer with copies of any proposal for banking services for any Agency accounts that are included in the Bank Fee Program.

### **PROHIBITIONS**

Fees for providing merchant card processing services are not permitted to be billed by analysis charges to bank accounts in the Bank Fee Program without prior approval of the Treasurer.

A bank participating in the Bank Fee Program shall not provide services to any Agency by way of an amendment to, "tie-in" to or "piggyback" on an existing contract for banking services with another Agency without prior approval of the Treasurer.

A bank may not debit an account in the Bank Fee Program for the payment of bank service charges without prior approval of the Treasurer.

## **REPORTS**

Banks in the Bank Fee Program must provide the Treasurer with the following reports and documents:

1. Monthly bank analysis statements on Treasury and Agency accounts in the Bank Fee Program.
2. Monthly Deposit Balances on all Treasury and Agency accounts in the Bank Fee Program.
3. Monthly electronic transmission files (822 EDI files) to provide bank fees and services for Treasury and Agency accounts in the Bank Fee Program. These files should be provided via the bank's secure website.
4. Executed copies of State Agency Signature Cards and Depository Agreements for each Treasury and Agency account in the Bank Fee Program (attached as Exhibit C).

Banks may be asked to provide certain other reports and information from time to time, including but not limited to the following:

1. A listing of all State of Georgia Agency bank accounts with their bank, to the best of their knowledge.
2. Verification of pledged collateral or FDIC insurance or guaranty coverage for all Agency accounts.

## **TERM**

These Banking Guidelines for the Fiscal Year shall commence on July 1, 2011 and may be posted on the website of the Office of the State Treasurer at [ost.georgia.gov](http://ost.georgia.gov). Any change or amendment by the Treasurer will be provided in writing to the banks participating in the Bank Fee Program.

Any Agency account may be terminated by the Treasurer and/or Agency acting on behalf of the Board should the Bank no longer be qualified as a state depository or should the Board otherwise determine to limit the state's financial exposure to a Bank.

## **NOTICES**

All reports and notices to the Office of the State Treasurer shall be sent via email to [rcain@treasury.ga.gov](mailto:rcain@treasury.ga.gov) and [smccoy@treasury.ga.gov](mailto:smccoy@treasury.ga.gov). Monthly statement mailings should be addressed to:

Rhen Cain, Director of Banking Services  
Office of the State Treasurer  
200 Piedmont Avenue  
Suite 1204 West Tower  
Atlanta, Georgia 30334

## **ACCOUNTS NOT IN BANK FEE PROGRAM**

### **ACCOUNT APPROVAL REQUIREMENT**

An Agency shall be responsible for payment of fees on accounts not in the Bank Fee Program but approved by the Treasurer and the Board.

No new bank accounts may be opened without the express approval of the Treasurer and the Board except for such instances in which the Treasurer provides initial approval of such accounts pending final approval by the Board at its next regularly scheduled meeting. Accounts or services may be terminated from time to time. The fees set forth on Exhibit B shall apply to all Agency accounts unless otherwise approved by the Treasurer.

### **SERVICES AND COMPENSATION**

Each bank shall be compensated for banking services in accordance with its fee schedule attached hereto as **Exhibit B**. Except as provided herein, such schedule shall not be amended during the Fiscal Year without written approval by the Treasurer. Each bank may reduce any or all fees on the fee schedule during the Fiscal Year. Those fees specifically identified on Exhibit B as subject to regulatory assessment may be increased during the Fiscal Year to the extent of an increase in the regulatory assessment provided that the Bank provides Treasurer with advance written notice. The fees set forth in Exhibit B shall apply to all banking services provided to all Agencies during the Fiscal Year. A bank may amend its fee schedule for new banking services with permission of the Treasurer.

### **OTHER AGREEMENTS**

Any agreements which a bank utilizes in its regular course of business in opening and maintaining Agency accounts and which are necessary for the account and services required must comply with Georgia law.

### **INTEREST**

Accounts will either earn monthly interest on collected available balances at such rate as may be agreed to by the Agency and the bank from time to time or receive a monthly net earnings credit rate ("ECR").

### **TERMINATION OF ACCOUNTS**

Any Agency account may be terminated by the Agency and/or the Treasurer acting on behalf of the Board should the Bank no longer be qualified as a state depository or should the Board otherwise determine to limit the state's financial exposure to a Bank.

Receipt of Banking Guidelines acknowledged by:

\_\_\_\_\_  
Name of Banker

\_\_\_\_\_  
Name of Banking Institution

\_\_\_\_\_  
Date



## ***Office of the State Treasurer***

200 Piedmont Avenue, Suite 1204, West Tower

Atlanta, Georgia 30334-5527

*ost.georgia.gov*

**Thomas D. Hills**  
Treasurer

**(404) 656-2168**  
**FAX (404) 656-9048**

### **State of Georgia Depository and Bank Fee Policy**

#### **I. The Depository of any state department, board, bureau, or agency must be approved by the State Depository Board.**

1. Any department, board, bureau, or agency (state entity) that has a need to open a new depository account or request a new banking service must request and receive approval of the State Depository Board by making application through the Office of the State Treasurer (OST).
2. The banking services for each department, board, bureau, or agency should be reviewed every three years in participation with OST.

#### **Creation of State Depository Board**

**§ 50-17-50.**

*The State Depository Board, referred to in this article as the "board," is created, consisting of the Governor, the Commissioner of Insurance, the state accounting officer, the commissioner of banking and finance, the state revenue commissioner, the commissioner of transportation, and the state treasurer, referred to in this article as the "state treasurer," who shall act as administrative officer of the board. A majority of the board shall constitute a quorum, and the acts of the majority shall be the acts of the board. The board, in its discretion, may name and appoint, from time to time, as state depositories of state funds any bank or trust company which has its deposits insured by the Federal Deposit Insurance Corporation. The board may also name and appoint as state depositories of state funds any building and loan association or federal savings and loan association which has its deposits insured by the Savings Association Insurance Fund of the Federal Deposit Insurance Corporation or the Georgia Credit Union Deposit Corporation. The board may also authorize any department, board, bureau, or other agency of the state which has a foreign office to deposit state funds for current operating expenses in certain foreign banks, the deposits of which are not insured by the Federal Deposit Insurance Corporation, provided the balance of such deposits in any one foreign bank does not exceed limits prescribed by the State Depository Board. For the purposes of this article, "foreign bank" shall mean a bank organized under the laws of a foreign country. The board is assigned to the Department of Administrative Services for administrative purposes only as prescribed in Code Section 50-4-3.*

## **II. Process for approval of new depository accounts or new banking services.**

1. Any state entity requesting a new depository account or a new banking service shall apply to the Office of the State Treasurer (OST) with a description of the banking services requested.
2. Prior to the beginning of each fiscal year, the OST will solicit fee schedules from each bank participating in the Statewide Banking Program. Participating banks have three options; maintain their existing fee schedules from the prior year, submit amendments for only those fees which will change, or submit new fee schedules. OST will incorporate the fee schedules into an agreement with each bank. Bank fee schedules for the qualified banks will be in effect for the next fiscal year, but may be amended to achieve reductions in fees.
3. OST shall prepare a proforma analysis for any state entity requesting a new bank account or new service or change in banks or banking services that compares the total service costs of each bank for the proposed service(s). The three banks with the lowest total cost, as indicated by the analysis, will be eligible to provide the desired services.
4. On completion of the analysis, OST will forward the list of eligible banks and their associated costs to the state entity. The state entity will have the option of choosing a bank from the list of the three lowest priced service providers, or opting to participate in the streamlined banking program. All selections made by the state entity shall be reported back to OST with a request for approval of the State Depository Board.
5. If the state entity believes that none of the eligible institutions can adequately provide the desired service, it may request an exception from the State Treasurer. To the extent that it would be in the best interest of the state, the State Treasurer may approve exceptions. However, the State Treasurer must report all exceptions to the board.
6. OST is required to notify all state entities in writing upon board approval or denial of any new state depository or service relationship. OST will maintain a registry of all banking depository relationships.
7. Requests for any expansion of banking services also should be submitted to OST and the State Depository Board for approval. At the discretion of the State Treasurer, any expansion of existing banking services that is likely to increase fees significantly should also be submitted to the State Depository Board for review.

### **III. Process for periodic review of banking services.**

1. In addition to evaluating requests for new deposit accounts or new banking services, OST shall reevaluate all banking services with state entities every three years, in line with a time-table prepared by OST or when requested by a state entity. As an alternative state entities may choose to transfer their banking services to the banks providing the streamlined banking program to the state, in lieu of reevaluation. Colleges and universities may opt to reevaluate their banking services every five years.
2. If the periodic reevaluation indicates that a state entity is not banking with one of the three lower cost providers for a particular service, the state entity may be required to select a new bank.
3. OST shall prepare a proforma analysis for any state entity requesting a new bank account or new service or change in banks or banking services that compares the total service costs of each bank for the proposed service(s). The three banks with the lowest total cost, as indicated by the analysis, will be eligible to provide the desired services.
4. On completion of the analysis, OST will forward the list of eligible banks and their associated costs to the state entity. The state entity will have the option of choosing a bank from the list of the three lowest priced service providers, or opting to participate in the streamlined banking program. All selections made by the state entity shall be reported back to OST with a request for approval of the State Depository Board.
5. Colleges and universities under the auspices of the Board of Regents or The Technical College System of Georgia ("schools") may conduct searches for banks and banking services, utilizing a standard RFP format provided by OST. Alternatively, schools may elect to select a banking institution from among the lowest cost service providers participating in the Statewide Banking Program that provide the required banking services.
6. If the state entity believes that none of the eligible institutions can adequately provide the desired service, it may request an exception from the State Treasurer. To the extent that it would be in the best interest of the state, the State Treasurer may approve exceptions. However, the State Treasurer must report all exceptions to the board.
7. OST is required to notify all state entities in writing upon board approval or denial of any new state depository or service relationship. OST will maintain a registry of all banking depository relationships.

#### **IV. Compilation of Interest Income and Bank Fees**

It is the policy of the State Depository Board to accrue to the State an advantageous yield of interest on its funds in excess of those required for operating expenses, in accordance with sound business management practices.

All interest income on state funds in state department, board, bureau, or agency deposit accounts will be paid and consolidated into the state treasury by the depository institutions on a monthly basis and bank fees will be paid from the available interest income.

##### *Statutory requirements for interest on deposits*

§ 50-17-52.

*The board shall make with depositories the most advantageous contracts for interest to be paid by them to the state for the use of the state's money which may be deposited therein, as provided by this article. In so doing, the board may authorize the state treasurer to negotiate with depositories explicit fees in payment for the state's banking services. Such fees shall be paid by the state treasurer from interest earned and shall be subject to the board's approval. In the event any depository so named shall refuse to make a satisfactory contract with the board as to interest to be paid and fees to be charged, it shall have authority to remove state funds from such depository.*

#### **V. Current Participants in the Bank Fee Program as of July 1, 2010**

1. Bank of America
2. Wells Fargo Bank
3. SunTrust Bank
4. Synovus Bank
5. Branch Banking & Trust Bank

The following banks have been approved but have not yet sent fee schedules for fiscal year 2011:

1. Regions Bank
2. Citizens Trust Bank
3. United Community Bank
4. JP Morgan Chase Bank
5. RBC Bank
6. Citibank



## **VI. Qualifications of Depository Institutions for State Deposits**

State Depository Institutions preferably should meet the following criteria to qualify to be a depository of state funds:

1. Tier 1 leverage ratio of 6% or greater;
2. Return on average assets of 0.0% or greater; and,
3. Institution rating by Highline Financial (or successor companies) of 35 or greater.

In the event a depository fails to meet one or more of the above requirements, they still may be eligible for approval, if they meet the definition of “well capitalized” as defined in the federal guidelines adopted pursuant to the Federal Deposit Insurance Corporation Improvement Act of 1991 (FDICIA). The FDICIA regulations define “well capitalized” banks or bank holding companies as entities that:

1. Have a Tier 1 leverage ratio of 5% or greater;
2. Have a Tier 1 risk-based capital ratio of 6% or greater;
3. Have a Total risk-based capital of 10% or greater; and,
4. Are not subject to a regulatory order to maintain a specific capital level for any capital measure.

The preceding information may be obtained from summary financial reports published by the FDIC and is available on the Internet.

Periodically OST, in coordination with the Georgia Department of Banking and Finance, will review the list of approved state depository institutions to determine, to the best of their abilities, if the depository institutions meet these criteria.

**For a limited period of time from January 1, 2011 to December 31, 2012 (unless extended) at the discretion of the State Treasurer, state entities may continue in depository relationships with banks not meeting the above listed qualifications if the deposit accounts are non-interest bearing transaction accounts that are temporarily covered by unlimited deposit insurance coverage or guarantee provided by the Federal Deposit Insurance Corporation as provided for under the Dodd-Frank Wall Street Reform and Consumer Protection Act.**

Authority to determine amount to be deposited; deposit security required

§ 50-17-53.

*To enable the board to fulfill its responsibilities of ensuring safe and effective cash management, the board shall be authorized to determine, from time to time, in respect to all state funds, whether deposited by the state treasurer or any other department or agency of the state government, any and all of the following:*

*(1) The maximum amount of state money which may be deposited in a particular depository;*

*(2) The maximum and minimum proportion of state funds which may be maintained in a particular depository;*

*(3) The amount of state funds to be deposited in particular state depositories as time deposits, and the periods of such deposits, provided that all state depositories shall give security for state deposits as required by law, but the board, in its discretion, may choose not to require that security be given in the case of special deposits and operating funds; and*

*(4) The policies and procedures governing the collection, processing, deposit, and withdrawal of state funds.*

Statutory Requirements for monitoring financial condition of depositories

§ 50-17-54.

*It shall be the duty of the board to keep itself advised, from time to time, of the financial condition of the various state depositories, as well as of the financial condition and standing of the securities on the bonds of the depositories; and, if at any time the board should become satisfied as to the insolvency of any of the depositories or that the affairs of any of the depositories are in an embarrassed financial condition, it shall be the duty of the board to direct the state treasurer to withdraw the money of the state from such depository. In case the board should be advised of the insolvency of the securities on the bond of any of the depositories, it shall be the duty of the state treasurer to notify the depository to strengthen the bond; and if, at the end of ten days, the bond is not strengthened, it shall be the duty of the board to direct the state treasurer to withdraw the money of the state from such depository. In either event, the board may also withdraw designation as a state depository.*

## VII. Deposit Collateralization and Depository Credit Limits

On January 29, 2009 the following banking policy for deposit collateralization and depository credit limits was approved by the State Depository Board.

- All state demand and time deposits shall be collateralized. The value of collateral shall be equal to not less than 110% of the funds being secured after the deduction of the amount of deposit insurance.'
- The total state deposit limit at any state depository shall not exceed 100% of the depository's equity capital. The State Treasurer may temporarily increase the total state deposit limit at any state depository to 125% of equity capital to allow for fluctuation in demand deposit balances.

Deposit of funds in banks or depositories -- Depository to give bond; pledge of securities in lieu of bond; acceptance of federal insurance as security; combination of securities; aggregate amount of bond

§ 45-8-12.

*(a) The collecting officer or officer holding public funds may not have on deposit at any one time in any depository for a time longer than ten days a sum of money belonging to the public body when such depository has not given a bond to the public body as set forth in this Code section. The bond to be given by depositories, where such bonds are required, shall be a surety bond signed by a surety company duly qualified and authorized to transact business within this state in a sum as so required. In lieu of such a surety bond, the depository may pledge to the public body as security any one or more of the obligations enumerated in Code Section 50-17-59, relating to the bond required to secure state deposits and securities in lieu of bond.*

*(b) The collecting officer or officer holding public funds shall accept the guarantee or insurance of accounts of the Federal Deposit Insurance Corporation and the guarantee or insurance of accounts of the Federal Savings and Loan Insurance Corporation to secure public funds on deposit in depositories to the extent authorized by federal law governing the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation.*

*(c) A depository may secure deposits made with it partly by surety bond, partly by deposit of any one or more of the obligations referred to in subsection (a) of this Code section, partly by the guarantee or insurance referred to in subsection (b) of this Code section, or by any combination of these methods. The aggregate of the face value of such surety bond and the market value of securities pledged shall be equal to not less than 110 percent of the public funds being secured after the deduction of the amount of deposit insurance.*

*(d) Notwithstanding any other provisions of this Code section, a depository may deduct the face amount of direct loans from deposits of a public body before being required to secure such deposits by a surety bond, deposit insurance, securities, or any combination thereof.*

*(e) This Code section shall not apply to collecting officers and officers holding public funds pursuant to Article 3 of Chapter 17 of Title 50, relating to state depositories.*

## VIII. Cash Management Policies and Procedures

The board shall prescribe cash management policies and procedures and state entities shall employ the cash management policies and procedures prescribed by the board. Cash management policies and procedures prescribed by the board shall be designed to maximize the efficient and effective utilization of the state's cash resources for the state as a whole. The board may require state entities to submit reports and plans on such forms and at such times as the board may prescribe to determine whether a state entity is in compliance with the cash management policies and procedures prescribed by the board. The state treasurer shall serve as cash management officer for the state on behalf of the board.

### Meetings of State Depository Board; records; list of deposits; interest policy; cash management policies and procedures

§ 50-17-51.

*(a) The board shall meet at least once every 90 days. The records and proceedings of the board shall be available for inspection by each member of the General Assembly. At the end of each quarter, the board shall furnish to the chairmen of the Senate and House Appropriations Committees, the chairman of the Senate Banking and Financial Institutions Committee, and the chairman of the House Banks and Banking Committee a list of all state time deposits, indicating the amount in each depository, the rates of interests contracted on such deposits, and the physical location of the depository.*

*(b) Compatible with the desirability of placing all state funds on deposit among state depositories and the necessity to maximize the protection of state funds on deposit, the policy to be followed by the board shall be that there will accrue to the state an advantageous yield of interest on its funds in excess of those required for current operating expenses, in accordance with sound business management practices.*

*(c) The board shall prescribe cash management policies and procedures and state agencies shall employ the cash management policies and procedures prescribed by the board. Cash management policies and procedures prescribed by the board shall be designed to maximize the efficient and effective utilization of the state's cash resources for the state as a whole. The board may require state agencies to submit reports and plans on such forms and at such times as the board may prescribe to determine whether an agency is in compliance with the cash management policies and procedures prescribed by the board. The state treasurer shall serve as cash management officer for the state on behalf of the board.*

Agency No. \_\_\_\_\_

**STATE AGENCY SIGNATURE CARD AND DEPOSITORY AGREEMENT**

The State Depository Board has adopted this as the official signature card to be used on all State Agency Accounts in lieu of the cards used by the individual depositories.

**INSTRUCTIONS TO AGENCIES**

1. After account has been approved by the State Depository Board, complete one set of cards (number to be determined by your bank) for each bank account maintained in your agency and send to your bank.
2. Prepare one (1) card for each bank account maintained by your agency and submit to the Office of the State Treasurer at the address shown on the card.
3. Complete steps 1 and 2 above each time changes are made in authorized signatures.

NOTE: This form is furnished by the Office of the State Treasurer and will be supplied upon request. Please specify the number required and submit to the address shown below.

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Acct	No. Signatures	Title of
No.:	Required:	Account:
Bank:		Agency/Dept:
Branch:		Address:
Phones:		Federal I.D.:

**Authorized Signatories:**

Name	SS#	Signature and/or Facsimile
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

\*  
\*Alternate Signature

Authorized upon receipt of bank of written  
notice from the Governor of Georgia.

Depository Board Approval: YES \_\_\_\_\_ NO \_\_\_\_\_ Date \_\_\_\_\_

Fee Compensation: YES \_\_\_\_\_ NO \_\_\_\_\_ If yes, Approval for the Office of the State Treasurer to  
Receive Account Analysis: YES \_\_\_\_\_ NO \_\_\_\_\_

Balance Compensation: YES \_\_\_\_\_ NO \_\_\_\_\_ Note: One signature card for each state account must be forwarded to:

Office of the State Treasurer  
200 Piedmont Avenue Suite 1202 West Tower  
Atlanta, GA 30334

Date: \_\_\_\_\_

In consideration of the opening of this account and its maintenance by Bank, the above named Agency agrees:

1. The handling of this account, including, but not limited to, fixing any maintenance, service and other charges permitted by law, and stating deposit and withdrawal procedures shall be governed by appropriate Federal Reserve and F. D. I. C. regulations, by this agreement and by separate rules established by Bank from time to time. Permissible charges for maintenance and service of this account may be made on occasions and in amounts set forth in the State Fee Schedule. Such charges may be made by the Bank whether the account be active or dormant, may be deducted from the account, and the bank shall not be liable for dishonoring items when the deduction of such charges results in there being insufficient funds in the account to honor such items.
2. Bank is authorized to waive presentment, notice of dishonor and protest as to all items received by Bank for deposit or collection.
3. All remittances, statements, items, notices and other communications and writings given by Bank to Agency in connection with this account shall be deemed given when sent postage prepaid by U. S. Mail to the address of Agency shown on this agreement. The Bank is authorized and directed to send to Agency a monthly statement for this account, together with the items and other evidences of charges against the account for that period, unless directed in writing to hold the same available to the Agency. Such statements and items will be sent or held available for Agency within 10 banking days after the last day of the monthly accounting period. The Agency is obligated to examine the same immediately and to report promptly to the Bank any dispute or difference of account for whatever reason. Except as otherwise provided by law, unless Bank receives written notice of any claimed dispute or difference of account within 90 days after the statement and items shall have been sent or made available to Agency, or, bank receives written notice of any claim in dispute as a result of an audit within 90 days after the close of Agency's fiscal year, Agency shall be precluded from asserting any dispute or difference as to the account as rendered. Agency shall not be relieved of the duty so to examine and report or of the stated consequences thereof by reason of the fact that the statement or any item or items were not sent or made available, unless Agency notifies Bank of that fact within 30 days of the date upon which the same are customarily so sent or made available.
4. Agency may order payment stopped on any item drawn on the account as provided by law, but in such event Bank at its option and without liability may thereafter decline to pay any or all items drawn hereon except items drawn by and the order of the Agency.
5. Bank is authorized to honor any order by Agency to pay, withdraw or transfer funds from this account even though the signature thereon does not correspond exactly with the listed specimen signature(s), but Bank is not obligated to honor any order drawn by Agency unless the signature thereon does correspond exactly with the above listed specimen signature(s). If Agency has furnished Bank Facsimile signature(s) of any of the authorized signatures on this account, Bank is authorized and directed to honor checks, drafts or other orders for the payment of money drawn in Agency's name on this account, including those payable to the individual order of any person or persons whose names appear thereon as signer or signers thereof, when bearing said facsimile signature(s) and Bank shall be entitled to honor and to charge this account for such checks, drafts or other orders, regardless of by whom or by what means the facsimile signature or signatures thereon may have been affixed thereto.
6. Bank may close this account at any time by sending the balance of funds therein to Agency following the sending of written notice of its intent to Agency and Office of the State Treasurer of its intent to do so 30 days prior thereto, and Bank shall not be liable for refusing to honor any item drawn on the account or any order of withdrawal or transfer presented to Bank after such closure. Bank may decline to collect any item deposited in the account after giving such notice by sending such item to Agency prior to Bank's midnight deadline with respect to such item. Bank will receive checks for deposit (without collection to the closed account) for 90 days and send items to the Agency via first class mail.
7. Bank may refuse payment of and return as unpaid any or all items drawn on this account and presented to Bank on any banking day when at the opening of business on that day there is not sufficient balance of collected funds in this account to pay the total amount of such items.
8. Should bank receive any process, summons, order, injunction, execution, distraint, levy lien, or notice (hereinafter called "Process"), which in Bank's opinion affects this deposit, Bank shall immediately notify Agency by the most expeditious method available, and, if Process is issued on behalf of the United States or an agency thereof, Bank may, at its option and without liability, thereupon refuse to honor orders to pay or withdraw sums from this account and may either hold the balance herein until Process is disposed of to the Bank's satisfaction, or pay the Balance or so much thereof as shall be the subject of the Process over to the source of the process.
9. In accordance with the Bank's State Fee Schedule with the Office of the State Treasurer, the Office of the State Treasurer may pay Bank service charges on this account. If so, Agency hereby instructs Bank to remit interest earned on this account to the State Treasury and the Office of the State Treasurer to pay account fees on behalf of and authorized by the Agency.